

Dear Chairman Martin:

I am writing to challenge the Comcast/Time Warner/Adelphia merger (FCC Docket No. 05-192) and the AT&T/BellSouth merger (FCC Docket No. 06-74). Allowing the largest telecommunications company and the two largest cable companies in the United States to grow even larger does not serve the public interest.

The concentration of media power is a growing problem in this country. Though we have more channels available than ever before, they are increasingly falling under the control of a handful of giant corporations. The cost of broadband service also remains out of reach for many households. Americans are hungry for more competition in services. However, these mergers will only starve Americans of this needed competition.

Allowing AT&T to combine with BellSouth will give the top three broadband providers control of over half of all broadband connections in the country. At the same time, the Time Warner/Comcast/Adelphia merger will give Comcast and Time Warner increased power over entire regions of the United States, allowing rates to rise even as the digital divide continues to grow.

The FCC should block these transactions or impose strict conditions to protect free speech and competition under its "public interest standard." If the FCC decides to allow either of these mergers, it should require the following conditions:

1. Subscribers must be able to choose from competitive Internet Service Providers ("open access"). The FCC should also ensure that these companies cannot discriminate against any Internet content or rival service and that every service will be treated exactly the same ("Network Neutrality").
2. Companies must be required to sell broadband access separate from video and telephone service, and at the same price ("naked broadband" or "unbundling").
3. Any subscriber must be able to connect any device to the network (such as a Wi-Fi router) that does not harm the network.
4. Take steps to protect public access programming ("PEG"). Cable companies have become less responsive to the needs and requirements of communities. The quality of public accountability in local franchise agreements has declined, as big companies leverage their power to squeeze local governments. Likewise, telecommunications giants — like AT&T — are trying to eliminate the remaining vestiges of effective local oversight and control altogether.
5. Independent programmers must be able to reach subscribers. We are required to buy channels we

don't want or need because providers of video service bundle them together.

6. Any company that owns both programming and video systems should be required to provide competitors with access to their regional sports and other programming needed to offer competing services, so consumers will still have real choices.

The current situation, with a handful of megalithic corporations publishing most of the messages they decide we can see, was precisely predicted by Ben Bagdikian over 30 years ago. Derided at the time, he turns out to have been just about the only one to accurately understand the bad choices that were driving consolidation and the resulting dearth of independent voices that would afflict us.

Fast-forward to 2006: the handful of suits "programming" us are driven by a set of values so narrow that they are incapable of thinking creatively. There are simply too few of them to bear any fruitful ideas.

The rise of satellite radio is just one simple example. Too lazy to spend any real money offering significant choice to their audience, they relied instead on static demographics to try and nail the audience down, the result being an endless stream of truly horrible pap they hoped they could use as a vehicle for hawking their consigned wares.

But of course the audience is dynamic and changes on Internet time. Any static picture is outdated the minute it's created. The resulting drivel has made FM radio unlistenable. Be honest, how often have you found yourself searching the dial endlessly for something that hasn't had the blood and tissue completely sucked from its emaciated bones?

All of a sudden the media analysts "discover" that radio channels programmed by real live people who know and love the music draw huge numbers of listeners. People can actually tell when someone cares! As one of these idiots, apparently never exposed to FM radio as it existed in the late 60s and early 70s was heard to say: who knew? The answer is all the people not in "radio". That is the current reality: the only people who don't understand the medium are... the owners!!!

If you ok these mergers than you are wearing the same sort of brain atrophying blinders. You can fool yourself all you want with high-minded rhetoric, pretending to understand elements of the "media" that escape us poor saps, but the answer is always the same in a real democracy: millions of voices, billions of ideas, endless creativity. Please get us back on the road to choice.